

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JOHN HANCOCK LIFE INSURANCE
COMPANY, JOHN HANCOCK
VARIABLE LIFE INSURANCE
COMPANY, and INVESTORS
PARTNER LIFE INSURANCE
COMPANY,

Plaintiffs,

v.

ABBOTT LABORATORIES,

Defendant.

Civil Action No. 03 CV 12501DPW

Hon. Judge Douglas P. Woodlock

JOINT STATUS REPORT

Pursuant to the Court's Order of March 30, 2004, Plaintiffs and Counter-Defendants John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Investors Partner Life Insurance Company (collectively, "John Hancock"), and Defendant and Counter-Plaintiff Abbott Laboratories ("Abbott"), hereby submit the following joint statement:

1. Status of Discovery.

Discovery in this matter closed on August 20, 2004. Plaintiffs, however, have filed a Motion to Compel Defendant Abbott Laboratories to Produce Documents and Provide Substantive Responses to Certain Discovery. This motion is pending and may impact on further discovery between the parties.

2. Pending Motions.

The following motions are pending with the Court:

- a. Plaintiffs' Motion for Summary Judgment;
- b. Defendant's Motion for Summary Judgment and Request for Oral Argument; and
- c. Plaintiffs' Motion to Compel Defendant Abbott Laboratories to Produce Documents and Provide Substantive Responses to Certain Discovery Requests.

Briefing on the cross-motions for summary judgment is scheduled to be completed on October 13, 2004. Plaintiffs' Motion to Compel is fully briefed. The parties request oral argument on the cross-motions for summary judgment as soon as the Court's schedule may permit.

3. Settlement.

The parties have engaged in settlement discussions and have exchanged written settlement proposals, but at present the prospect of settlement is unlikely.

4. Proposed Pretrial Conference Dates.

In the event this matter is not resolved on summary judgment, the parties propose a pretrial conference date of January 28, 2005.

5. Proposed Trial Dates.

In the event this matter is not resolved on summary judgment, the parties propose a trial date of February 7, 2005 or as soon thereafter as the Court's schedule may permit. The parties have stipulated to a bench trial and anticipate that trial will last approximately four to five trial days.

ABBOTT LABORATORIES:

By its attorneys

JOHN HANCOCK LIFE INSURANCE
COMPANY; JOHN HANCOCK
VARIABLE LIFE INSURANCE
COMPANY; and INVESTORS PARTNER
LIFE INSURANCE COMPANY:

By their attorneys

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Date: October 12, 2004